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			Effective Date:	6/26/2009
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			Formerly CWI J29W-01	

**Verify that this is the correct version before use**

Compliance is Mandatory

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## JSC Export Compliance


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**Responsible Office: External Relations Office**

*Original Signed By:*

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**Ellen E. Conners**


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## OPR Internal Concurrence Page

*Original Signed By:*


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**L. Ari Blum, Center Export Administrator**

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## CHANGE RECORD

Rev.	Date	Originator/Phone	Description
		L. Ari Blum	Complete rewrite of CWI J29W01 to new JWI format


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## 1 PURPOSE

The JSC Export Compliance Work Instruction documents how to implement NASA's Export Control Program (ECP) (NPD/G 2190). The NASA Agency-wide ECP provides overarching guidance to make sure exports to foreign parties are in compliance with the U.S. export control laws and regulations. This export compliance work instruction fosters compliance by JSC NASA and its employees with the Department of State (DOS) and the Department of Commerce (DOC) regulations, and minimizes the risk of suspension of current or future licensing privileges, which could leave JSC NASA unable to affect exports or transfers required under its international agreements. This instruction also assists NASA government personnel and private contractor personnel in avoiding schedule delays or cost overruns and/or criminal, civil or administrative enforcement actions.

## 2 APPLICABILITY

This Export Compliance Work Instruction applies to you if, as a JSC Civil Servant or Contractor, you effect an export, on behalf of NASA, of hardware, software, or information to a foreign person or U.S. representative of a foreign organization. Specific responsibilities for export control are further defined in Section 8.

Program policies may tailor these processes according to special situations with the approval of the Center Export Administrator.


When exporting on behalf of NASA/JSC, contractors shall export hardware, software or technical information in accordance with all applicable Federal and State statutes and regulations. Contractor employees should consult with their company export officials for further guidance.

### 2.1 What is an Export?

An export is any shipment, transfer, or transmission of an item, i.e. hardware, software, technology, technical information, technical assistance or the handcarry of equipment (including laptops, blackberries, memory devices, and other handheld devices, Personal Digital Assistant (PDA), and software out of the United States, or to a foreign national or a representative, including U.S. citizens, of a foreign government or company (within or outside the U.S.).

Re-export of items that have been imported into the United States, as well as, the transfer of control over a satellite or on-orbit object are also considered exports.



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## 2.2 Identify Exports Early

*Exports of hardware, software or technical data that are controlled may require a license from the Department of State or Commerce. This process may take up to 4-12 months, therefore you must identify exports and begin the steps in this section as early as possible.*

*It is the responsibility of the Program/Project Manager to identify export compliance milestones as soon as possible to ensure that export compliance matters are considered and resolved in advance of prospective shipping or transfer dates. NPD 7120.5 requires that technical organizations include early milestones to address export compliance issues “early and throughout the project life cycle.”*

## 2.3 Deviation and Waiver Requests

Technical changes, deviations, or waivers sought from any requirement of this procedure shall be requested from, and approved in writing by the requesting organizations’ Export Control Representative (ECR) and the Contracting Officer (if applicable) with final approval from the Center Export Control Administrator. When requesting technical changes, deviations, or waivers, the requestor must provide a detailed justification describing the unique circumstances and situation associated with their request, timeline for which the deviation and/or waiver is needed, program and/or project office(s) supported and effected, Contract Number (if applicable), and suspense date needed for implementation. Request shall be coordinated through the applicable organizations’ ECR who will facilitate final approval with the Export Services Team (EST). Requests from contractors must be coordinated with the effected NASA technical organizations’ ECRs (one NASA technical organization shall be designated as lead and one person named as point-of-contact).


## 3 AUTHORITY

NPR 2190.1 NASA Export Control Program

JPR 7120.3 JSC Procedures and Guidelines for Project Management: System Engineering and Project Control Processes and Requirements

JPD 2314.2M Managing Internal JSC Documents

JPD 2200.1B Release of JSC Scientific and Technical Information to External Offices

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#### 4 APPLICABLE DOCUMENTS (IF APPLICABLE)

Code of Federal Regulations (CFR) 15 Parts 300 to 799, "Commerce and Foreign Trade"

Code of Federal Regulations (CFR) 22 Chapter I, Subchapter M, Parts 120 – 130, "International Traffic in Arms Regulations"

#### 5 SAFETY PRECAUTIONS AND WARNING NOTES

None

#### 6 TOOLS, EQUIPMENT, AND MATERIALS

None


#### 7 PERSONNEL TRAINING AND CERTIFICATION

It is each Directorate's responsibility to ensure all new employees are briefed on export control as part of the new employee orientation. Basic export control awareness training is available on the **Export Services Team (EST)** Website as **Computer Based Training (CBT)**. Additional training opportunities are identified on the EST Website.

Directorates will assure that newly assigned Export Control Representatives (ECR) complete the CBT course found on the EST Web Site within 14 working days of being assigned. The CEA may require ECRs to re-take the CBT as needed and if there are substantial changes to the course material. Directorates will require all Export Control Representatives (ECRs) to attend a minimum of 8 class hours of export training offered by the EST on an annual basis. (The CEA will review and make a determination regarding whether other export training offered by other agencies and companies is applicable to meet this requirement). The EST will offer several export compliance training opportunities throughout the year to allow ECRs to meet the annual training requirement.

Training provided by the EST is primarily for ECRs and other Civil Service personnel who are regularly involved with exports or who work with Foreign Nationals. Unless otherwise stated in an announcement of a training opportunity, classes are open to all interested civil service employees.

The EST will track training attendance for ECRs and notify the ECR and their directorate level management if they do not stay current with training requirements. **If an ECR does not meet the training requirements, they will be designated as being in "PENDING" status on the EST website's list of ECRs.** ECRs with a pending status on this list must still review and make recommendations regarding their organization's exports, but they may not approve or provide a

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final export authorization signature for exports. (ECRs in pending status must request that an ECR who is current in their training sign the final export authorization. If such an ECR is not available they may get the required signature from a member of the Export Services Team.) The CEA will notify the cognizant directorate level manager and the ECR will be moved to “Pending” status if it is determined that an ECR is not current in their training or is not performing in the interest of their organization and the Center. The directorate managers will take appropriate action to motivate ECRs to remain current on training and perform all export compliance duties in an effective and timely manner. Within funding and budget limitations, the EST will support the ECRs by helping them train their organizations. Training schedules and charts are posted on the EST Website.


## 8 RESPONSIBILITIES

You, as the **Exporter**, are responsible for complying with U.S. Government Export Control Regulations by knowing requirements to affect an export of hardware, software or technical data. You are responsible for providing information to the ECR of your organization using the appropriate export control forms. This information includes technical description of export, destination country, end-use, end-user, requirement to export, and other information required.

The Exporter is often the technical point of contact at JSC who is considered the shipment originator and has the responsibility to initiate the export and shipping activity, as well as, gain concurrence from the ECR. This person has an intimate knowledge of the item(s) to be shipped and should be aware of any unique packaging and handling requirements by providing detailed information to the ECR of your organization using the appropriate export control forms. This information includes technical description of export, destination country, end-use, end-user, requirement to export, and other information required to complete these documents.

### 8.01 Resources to Help Exporters

- Your first contact for assistance must be your organization’s Export Control Representative (ECR). A current list of ECRs is available on the EST Website: <http://www6.jsc.nasa.gov/exportcontrol/export/ECRinfo/ECRlist.xls>.
- If your ECR is not available, the EST can be reached at (281) 792-6196 or e-mail them directly at <mailto:jsc-exportst@mail.nasa.gov> or from the JSC Global at JSC Export Services Team.
- The [Export Database](#) is a catalog of hardware, software and technical data that have already been classified for export by JSC Export Officials. This database is available on the EST Website. Once you have identified a similar Export, give this information to your ECR. The ECR then must verify that the classification, exception or exemption used is still valid by researching the [Commerce Control List \(CCL\)](#)\* or the [United States Munitions List \(USML\)](#)\*.


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- NASA Export Control Program (ECP) website:  
<http://www.nasa.gov/centers/hq/home/index.html>
- The Department of Commerce (DOC) regulations, are located at the Bureau of Industry and Security (BIS) website at <http://bis.doc.gov>
- The Department of State (DOS) regulations, are located at the Office of Defense Trade Controls (ODTC) website at <http://www.pmddtc.state.gov/>
- The Society for International Affairs (SIA) is a non-profit educational organization for exporters interested in developing their export compliance programs. Their website is at <http://siaed.org/>
- Contractors must contact their company Export Compliance Officer for guidance.

## 8.1 Export Control Representative (ECR)

The ECR's are assigned and removed by a Directorate level manager for their respective organization to work with the Office of the Center Export Administrator. Directorate level manager assignments and removals will be made in writing and sent to the Export Services Team (e-mail is acceptable). Consequently, ECRs are the responsible person for their organization, serving as the focal point within the organization for exports and as the primary point-of-contact with the Center Export Administrator (CEA) or Alternate Center Export Administrator (ACEA) on matters of export compliance. In addition, the ECR will:

- Remain current on annual export training requirements and export compliance issues presented by the EST;
- Identify and keep the CEA informed on export issues;
- Assist the CEA by increasing export awareness and improving export compliance;
- Assist with preparing proposed exports;
- Interface with program personnel at other sites;
- Review, concur, and provide recommendations and justifications for approval or denial regarding such documents as: shipping documents, presentations, papers, public release requests, and foreign national badge request documentation for export compliance issues;
- Review website content for export restricted data and make recommendations regarding adequate protection for websites and material contained therein;
- Maintain export and visit records; and
- Approve exports of items that do not require a license;
- Coordinate the generation of all license requests from their respective organizations with the EST (this includes verifying all information provided in support of the license request);

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- Obtain approval from EST for use of all license exceptions or exemptions;
- Refer export compliance issues to the CEA that require assistance or approval.

## 8.2 Program or Project Manager (PM)

The Project or Program Manager (PM) is responsible for identifying milestones in their program/project plans to ensure that export compliance matters are considered. Milestones should be identified and documented as early as possible in the program/project schedules. It is recommended that the export classification for hardware be made by the time the “Safety Design Review” activities for the hardware are complete.


## 8.3 Center Export Administrator (CEA)

The **Center Export Administrator (CEA)** is responsible for ensuring all JSC Export compliance activities comply with U.S. export compliance laws and regulations and serving as Center point-of-contact with the Headquarters Export Administrator (HEA). The Alternate CEA supports all activities of the CEA. The CEA will:

- Establish, Maintain and enforce export policies, procedures and Work Instructions to ensure export/import compliance with federal laws, rules and regulations.
- Coordinate with HEA and staff to obtain export licenses
- Ensure proficiency of personnel responsible for implementing all aspects of export/import procedures by establishing and enforcing a training program in accordance with Export Control Regulations.
- Interface with external and internal auditors
- Serve as NASA JSC’s point of contact with HEA, DoS, and DoC to make export determination decisions
- Maintain records for exports and visitors per regulations
- Provide training, guidance, and direction for JSC and other NASA Center personnel regarding export compliance issues
- Review and disposition export compliance issues
- Provide feedback and recommendations to directorate level managers regarding the performance of ECRs

8.3.1 The **EST** supports the CEA and ACEA in all activities effecting exports such as:

- Recommend classifications

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- Generate license submissions to NASA Headquarter for submission to Department of State (DoS) or Department of Commerce (DoC)
- Provide approval for use of license exceptions or exemptions

8.3.2 The **JSC Transportation Branch** is not part of the CEA Office or the EST, but they are responsible for providing assistance to the customer relative to the physical transfer (e.g. shipping, mailing) of items. This may also include proper selection of “Schedule B” numbers needed when completing the JSC Form 1735 (Pro Forma Invoice) and completing other forms (e.g. Shippers Export Declaration (SED) using Automated Export System (AES)).

#### 8.4 Center Export Counsel (CEC)

The Center Export Counsel (CEC) is responsible for providing legal guidance to the EST in NASA export compliance matters.

#### 8.5 Headquarters Export Administrator (HEA)


The Headquarters Export Administrator (HEA) is responsible for ensuring compliance of all NASA export activities with U.S. export control laws and regulation. Responsibilities include:

- Approve and maintain necessary licensing documents regarding specific exports pursuant to NASA programs that are subject to the EAR and ITAR. All Commodity Jurisdiction requests, Advisory Opinions, Voluntary Disclosures, Export Licenses, and Classification Requests are coordinated and submitted through the HEA;
- Serve as NASA HQ’s point of contact for the Bureau of Industry and Security (BIS), Department of Defense Trade Controls, Defense Threat Reduction Agency and other appropriate Agencies for all international technology transfer/export control issues;
- Manage NASA’s annual Export Control Program internal audits, including providing annual audit guidance to Centers, receiving and reviewing audit reports; and
- Develop and issue export compliance policies and regulation interpretations for NASA to CEAs.
- The HEA may also assign work actions to the CEA related to exports that effect the Center or the Agency.

## 9 PROCEDURE

### 9.1 General



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This section describes the general processes that are required for any export of hardware, software or technical data by any means. It includes steps that the exporter shall perform, as well as some of the basic steps that the [Export Control Representative \(ECR\)](#) or [Export Services Team \(EST\)](#) shall perform. Refer to Appendix F, Figure A, the General Export Flow diagram for a description of the export compliance process. The ECR is the person within each organization who is officially designated by an organization's director level manager as their focal point to the EST for export related issues (Note: Organizations may have more than one ECR). The Center Export Administrator will provide direction to ECRs relating to export compliance activities and general oversight over their performance of export compliance duties. The EST provides support to the Center Export Administrator (CEA) and Alternate CEA.

Section 9.2 describes the specific steps required depending on your particular method of exporting (e.g., shipment, handcarry, electronic, or personal contact).

The following questions must be addressed in order to fully comply with NASA policy and U.S. Export Regulations:


### 9.1.1 General Questions To Begin The Process

- Is there a clear and documented requirement for the export? Is there a NASA requirement or obligation to export or is it otherwise in NASA's interest to do so? (*Section 9.2.1*)
- Are there any Red Flags that make this export seem odd? (*Section 9.2.2*)
- Is a license already in place that covers this export? (*Section 9.2.3*)
- Has the item been properly exported before? (*Section 9.2.4*)
- Is the item to be exported available commercially off the shelf? (*Section 9.2.5*)

### 9.1.2 Getting Support from the Export Representatives

Once the general questions have been answered by the organization export requestor, the designated Export Control Representative (ECR) must be contacted. The ECR will elicit required information and assist in complying with important aspects of the export. A listing of ECRs can be found at <http://www6.jsc.nasa.gov/exportcontrol/export/ECRinfo/ECRlist.xls>.

- What is being exported and which Agency of the Federal Government has jurisdiction? (*Section 9.2.6*)
- What is the export classification of the item? (*Section 9.2.7*)
- Where is it going, i.e., all countries it will stop in and the country of ultimate destination? (*Section 9.2.8*)
- Who will receive it, i.e., the ultimate end user? (*Section 9.2.9*)
- What will they do with it, i.e. the ultimate end use? (*Section 9.2.10*)

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- What else do they do, i.e. activities in support of a proliferation project? (Section 9.2.11)

### 9.1.3 Getting the Export Compliance documentation together

- Who do I submit information to in order to get approval for my export? (Section 9.2.12) (WITH CONSIDERATION OF THE EXPORT RECORDS DATABASE)  
(Using the Export Control Request and Approval Worksheet (JSC Form 1724))
- How do I determine the Classification of Export and whether a License is required? (Section 9.2.13)
- What are the documentation and record keeping requirements for temporary exports? (Section 9.2.14)
- What is a Destination Control Statement and how is it used? (Section 9.2.15)

### 9.1.4 What To Do If A License Is Required

- How do I apply for a license? (Section 9.2.16)
- How do I use a license? (Section 9.2.17)

### 9.1.5 Other Export Issues


- How do I return an item that was manufactured abroad? (Section 9.2.18)
- If data is given to me by a foreign national, when is it controlled? (Section 9.2.19)
- When do I need to follow-up with an end-user? (Section 9.2.20)
- What do I do for handling non-compliance of applicable export regulations? (Section 9.2.21) \*\*\*\*\*
- How do I handle unsolicited requests for information? (Section 9.2.22)

## 9.2 DETAILED STEPS FOR “GENERAL QUESTIONS”

### 9.2.1 Determine the Requirement to Export

Before exporting any item, the exporter must first determine the NASA requirement, obligation, and necessity for this export. Refer to Figure B.



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- What obligation or requirement does NASA have to provide this hardware, software or data to a foreign national? Requirements may be found in the following types of documents after they are signed or approved:
  - Contract, Grant, or Agreement
  - International Agreement such as NASA's bilateral Memorandum of Understanding (MOU)
  - Meeting minutes or protocol that support a contract requirement and signed by both parties
  - International Space Station Bilateral Data Exchange Agreements, List & Schedules (BDEALS)
  - ISS Bilateral Hardware and Software Exchange Agreement List and Schedules (BSHEALS)
  - Program or project direction or plan that supports a contract requirement

Document the requirement on the Export Control Request and Approval Worksheet (JSC Form 1724) for all exports requiring a license, exemption or exception. For other exports, you may use an alternate recordkeeping system if approved by your organization.


### 9.2.2 Determine If There Are Any Red Flags

After ensuring there is a requirement to export, check for "Red Flags." For more detailed information on how to identify Red Flags and how to handle them, go to the EST Website at <http://www6.jsc.nasa.gov/exportcontrol/export/RedFlags.htm>

Consider any abnormal circumstances in a transaction that indicate that the export/transfer may be destined for an inappropriate end use, end user, or destination. These are referred to as "Red Flags." Does the export make sense from a technical standpoint? The exporter and reviewers have a duty to check out these suspicious circumstances and inquire about the end use, end user, or ultimate country of destination. The knowing participation in or support of activities related to the proliferation of nuclear, biological or chemical weapons or missiles is prohibited without prior written authorization from the Department of State (DOS) or the Department of Commerce (DOC). (ALSO See Section 9.2.22 "Unsolicited Requests for Information.")

In addition to checking for Red Flags, the exporter must ensure the foreign party to whom they are exporting is not found on the following lists:

- Unverified List (Department of Commerce)
- Entities List (Department of Commerce)
- Denied Parties List (Department of Commerce)
- List of Debarred Parties (Department of State)
- Specially Designated Nationals List (Department of Treasury)

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- Designated Countries (NASA Headquarters)

A complete list and links are available on the EST website at  
<http://www6.jsc.nasa.gov/exportcontrol/export/ListsToCheck.htm>.

If you find the end user's name on one of these lists, ***do not proceed with your export until you have contacted the EST for assistance.***

### 9.2.3 Determine whether the Export is covered under an existing License

Exports of certain hardware, software or technical data may be covered under an existing NASA license. If you have reason to believe the item you want to export already has an export license from the Department of Commerce or State, contact your Export Control Representative or Export Services Team for verification of and approval to use the license. Obtain the license number and enter it on the appropriate locations on the shipping paperwork, and document the license number in your records.

**NOTE: Approval on the JSC 1724, Export Control Request and Approval Worksheet must be obtained from the EST prior to using any license, exception or exemption**

### 9.2.4 Determine whether the item has been exported before


Information on items that have been previously classified for export is included in the JSC Export Database (<http://www6.jsc.nasa.gov/exportdb/default.cfm>). Use this database as a first step in classifying your item for export. You can query on many different attributes including destination, description or manufacturer. Keep in mind the item in the Database may not be exactly the same as the item you want to export. The conditions may be different (for example: permanent vs. temporary export) or the destination may be different. Be sure to use the most recent classification of an item.

The Database is only a starting point. If you think you have located a record in the Database that is the same as the item you want to export, note the Ref ID # on the paperwork that you submit to your ECR or EST. Your ECR or the EST will research your request to make sure you can use the same classification as the one in the Database (or update the classification as necessary).

### 9.2.5 Guidelines for Classifying Commercial Off-The-Shelf Items

If the export is commercial off-the-shelf (COTS) hardware or software, you should contact the manufacturer, and attempt to obtain the export classification in writing. Some sources for manufacturers' export classifications are:

- Export Compliance Department
- Legal Department

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- Shipping, sales or marketing department.
- Company website

Minor modifications, such as NASA decals, property tags or Velcro will not change the classification of the item. Other modifications, such as, special coatings or extensive mechanical or electrical modifications can change the classification of the item.


Do not assume that because software can be downloaded from the internet that it is ok to export or is in the public domain. Commercial or public availability does not always mean it may be exported by NASA.

Keep a record of the name and telephone number of the person you contacted and record the classification of the item on the Pro Forma Invoice (JSC form 1735). Try to get the information in writing either via email or fax. Obtain concurrence from your ECR and document it in your recordkeeping system. If you cannot obtain the classification in writing from the manufacturer or your item has more than minor modifications, contact your ECR or the EST for assistance.

**NOTE: COTS hardware and software is usually Export Controlled and may require a license. See your ECR for assistance in determining classifications.**

### **9.2.6 What is being exported and which Agency of the Federal Government has jurisdiction?**

Items that are designated as Defense articles and Defense Services are determined by a Commodities Jurisdiction performed by the Department of State Directorate of Defense Trade Controls with concurrence by the Department of Defense, Department of Commerce and other U.S. Agencies as appropriate (See International Traffic and Arms Regulations (ITAR) 22 CFR Parts 120–130. Items so designated constitute the United States Munitions List, (USML 22 CFR Part 121. The Department of Commerce regulates the export of items primarily designated as “dual use”, can be used for both military and other strategic uses, e.g. nuclear, Department of Energy, and commercial applications, on the Commerce Control List (CCL) under the Export Administration Regulations (EAR) (15 CFR Parts 730-799). The export control provisions of the EAR are intended to serve the national security, foreign policy, nonproliferation and short supply interests of the United States. The Treasury Department, Office of Foreign Assets Control (OFAC), implements broad export/re-export controls and embargo transactions with certain foreign countries. The U.S Nuclear Regulatory Commission (NRC) controls the export and re-export of commodities related to nuclear reactor vessels. The Department of Energy (DOE) controls the export and re-export of technology related to the production of special nuclear materials. The Patent and Trademark Office (PTO) provides for the export to a foreign country of unclassified technology in the form of a patent application or an amendment, modification or supplement thereto or division thereof.

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### **9.2.7 What is the classification, for export control purposes, of the item?**

The classification of the item will determine whether a license is required for the export. At JSC, many item(s) to be exported are classified either under the ITAR USML XV Spacecraft Systems and Associated Equipment paragraph (e) for commodities or (f) for technical data and defense services or under the EAR CCL 9A004 Space Launch Vehicles and Spacecraft. Personnel should note that technical data and defense services associated with 9A004 hardware remain under the control of the Department of State and thus ITAR controlled. Other export regulations need to be considered for some items, such as nuclear by-products which are classified by the Nuclear Regulatory Commission (NRC) and medications which are controlled by the Drug Enforcement Agency.

### **9.2.8 Where is it going, i.e. the country of ultimate destination?**


The country of ultimate destination is an important factor for determining license requirements. The Directorate of Defense Trade Controls (DDTC) via the ITAR 22 CFR 126.1 “Prohibited Exports and Sales to Prohibited Countries,” describes Item export policies and licensing requirements toward select countries. The Bureau of Industry and Security (BIS) (Department of Commerce) maintains the Commerce Control List (CCL), which includes items (i.e., commodities, software, and technology) subject to the export licensing authority of BIS. The BIS also maintains the Commerce Country Chart, Supplement No. 1 to part 738, which contains licensing requirements based on destination and reason for control. In combination with the CCL, the Commerce Country Chart determines whether a license is required for the items listed on the CCL, Supplement No. 2 to part 774 of the EAR.

### **9.2.9 Who will receive it, i.e. the ultimate end user?**

There are certain individuals who may not receive an export or must have a license to receive the export. These individuals are listed by the Department of State, Department of Commerce and Department of Treasury. Before exporting, select the “Lists to Check” menu item on the EST Web site: <http://www6.jsc.nasa.gov/exportcontrol/export/ListsToCheck.htm> to view the Unverified List (Department of Commerce), Entities List (Department of Commerce), Denied Persons List (Department of Commerce), List of Debarred Parties (Department of State), Specially Designated Nationals (Department of Treasury), and Designated Countries (NASA Headquarters Export Control Plan). If your recipient is on any of these lists you must immediately notify the Export Services Team via e-mail before you take any other actions.

### **9.2.10 What will they do with it, i.e. the ultimate end use?**

There are certain restrictions imposed by DoS via the ITAR 22 CFR 120 – 130 and DoC via the EAR 15 CFR 730 – 744 for the export or re-export of items that will be used for defense or defense services, and items that are deemed ‘dual use’ (both military and commercial purposes).

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Inclusive within these directives are specific limitations on the proliferation of nuclear, chemical and biological weapons, and associated missile systems, micro-computers and nuclear propulsion systems (see DoS <http://www.state.gov/t/np/> and DoC 22 CFR 744).

### 9.2.11 What else do they do?

The conduct of persons involved in the export or re-export of defense items, defense services and dual use items such as financing, transportation and freight forwarding are also controlled by the DoS <http://www.state.gov/interntl/> and DoC 22 CFR 744.6. In general, applicants for licensing will be denied if their actions would “make a material contribution to the design, development, production, stockpiling or use of nuclear explosive devices, chemical or biological weapons, or of missiles.”

### 9.2.12 Using the Export Control Request and Approval Worksheet (JSC Form 1724) and Pro Forma invoice (JF 1735). The requester and ECR will work together to gather information and prepare required documentation.

The Export Control Request and Approval Worksheet (JSC Form 1724) is used for the following reasons:


- To document an export (record keeping)
- To request and verify classifications
- To obtain an approval for an export using a license and or license exemption or exception.

The exporter must complete and submit the [Export Control Request and Approval Worksheet \(JSC Form 1724\\*\)](#) and the [Pro Forma Invoice \(JSC Form 1735\\*\)](#) for all exports. The completed forms must be submitted to your ECR, who will submit the Worksheet to the EST if necessary. (For the name of your organization’s ECR, go to <http://www6.jsc.nasa.gov/exportcontrol/export/ECRinfo/ECRlist.xls>)

The ECR or EST will use the information on the Export Control Request and Approval Worksheet and Pro Forma Invoice to help classify the export and to determine if a license is necessary for the export. The ECR or EST may contact the exporter if more information is required in order to classify the export.

If the export can be affected without a license, the ECR or EST will sign the Export Control Request and Approval Worksheet. This signed worksheet is required by the JSC Transportation Office to export the item. If a license is required, the exporter will be contacted by the ECR/EST for more information, and the EST will begin the license application process. See 22 CFR 123 and 15 CFR 730.7 – 8 for more information on applying for and using a license.

***For more information on shipping procedures, or exporting data, see Section 9.3.***

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### **9.2.13 Determine the Classification of the Export and Whether a License is Required.**

When the ECR receives the completed Export Control Request and Approval Worksheet, they will classify the item. The ECR may contact the exporter for more information as required in order to properly classify the item. The ECR will then determine if a license is required to export the item(s). The ECR will contact the EST for assistance if necessary for approval of classification or use of license.

If the EST cannot determine the jurisdiction or classification of an item, they will submit a Commodity Jurisdiction request (CJ) or Classification Request (CR) to NASA Headquarters who will then submit the request to the appropriate regulatory agency for review. An export may proceed only after a CJ or CR determination, if necessary. This process may take up to 6 months.

### **9.2.14 Temporary Exports**

In certain instances there may be a license exception or exemption that can be used where a license would otherwise be required because the items are being exported temporarily, and will subsequently be returned to the United States. Note on the Export Control Request and Approval Worksheet whether the export is temporary, and when the item will be returned. You must include a signed "License Exemption TMP letter" in the format found at: <http://www6.jsc.nasa.gov/exportcontrol/export/Forms.htm>. You are also required to keep records of all temporary exports, noting when they were returned to the U.S., and notify the EST when the export is returned so they can update their database.


If an export will be outside the U.S longer than the originally planned period you must immediately notify the EST to avoid a violation, and to provide sufficient time to obtain the appropriate license. You must also notify the EST within 5 business days of the date that the item was actually returned. Refer to Figure D.

**NOTE: Approval on the JSC 1724, Export Control Request and Approval Worksheet must be obtained from the EST prior to using any license, exception or exemption**

### **9.2.15 Destination Control Statements**

A "Destination Control Statement" is a statement made by the exporter or consignor that must be entered on the paperwork that accompanies the shipment to its ultimate end user. There are various Destination Control Statements which notify people that: "the items were exported from the United States in accordance with the applicable export regulations. The diversion, retransfer, disclosure, or use contrary to applications specified in NASA agreement without prior written U.S. authorization is prohibited."



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There are several different Destination Control Statements which apply specific wording that should be included for different exported items such as when using a license exception or an item is being exported temporarily. They can be found on the [JSC EST Website](#). Contact the EST for assistance.

### 9.2.16 Applying for an Export License


- If a license is required from the State or Commerce department, the ECR must submit the appropriate “License Application Information Checklist” depending on whether the license request goes to the Department of State or Commerce. <http://www6.jsc.nasa.gov/exportcontrol/export/Forms.htm> . The checklist requires the technical organization to provide such information as:
  - Short title of commodity (data, hardware, software)
  - Recommended United States Munitions List (USML) Category or Export Control Classification Number from Commerce Control List (CCL)
  - Quantity, Unit Value
  - Background descriptive literature
  - Purpose of export and documentation of requirement
  - End user information (name, phone, address)
  - Intermediate Consignees (U.S. or Foreign), Shippers List

After the requiring organization has verified that the information is complete and accurate the EST will submit the license application to NASA Headquarters, who will submit the application to the Department of Commerce or State. The EST may contact the exporter for additional information on the item to be exported. Refer to Figure C. Exporters should consider both their instant requirements and their potential needs to export these same items over the next 5 years. By identifying the potential requirements up front the Center saves time and resources by not having to reapply for additional licenses.

### 9.2.17 Using a License

Once a license has been approved by the Department of Commerce or State, you are responsible for certain reporting and record keeping requirements. You must notify the NASA EST, in writing, that you intend to use a license, fifteen (15) working days in advance of the anticipated export date, (always try to allow more time to accommodate unexpected events). The EST will then verify that items are covered by the license and that quantities or dollar value on license have not been exceeded. The ECR or EST will also let you know if a separate Export Control Worksheet (NF 1724) is required.

The exporter must verify that the items exported have reached the destination and end-user authorized by the license. Written verification must be retained in your records, with a copy

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provided to the EST. The EST will provide license specific directions addressing reporting requirements and provisos.

Within ten (10) working days following the shipment the Transportation Office must submit copies of Shippers Export Declaration (SEDs) and the exporter must provide other shipping documents, including verification from end user, to the JSC EST. A copy of these documents is sent to the NASA HQ Export Administrator. The exporter must keep copies of all shipping documents as well, and be able to produce them in the event of an audit.

**NOTE: Approval on the JSC 1724, Export Control Request and Approval Worksheet must be obtained from the EST prior to using any license, exception or exemption**

### **9.2.18 Exporting Items Manufactured Abroad**

The exporter must first determine if the items have been modified to contain any U.S. technology or content. If the item has been modified in the U.S., there are certain rules that apply to the classification of that item. Before exporting any items manufactured abroad, even if the item has not been modified, it must still be classified per U.S. Export Regulations prior to shipping. A copy of the import documentation must be retained by the technical organization receiving the item and provided on request. Consult your ECR or the EST for issues related to exporting foreign-made items.

### **9.2.19 Exporting Data Received from a Foreign Source (non-U.S. Person)**


Data received from a foreign source (i.e. a non-U.S. Person) must be controlled for export purposes just as if the data originated in the U.S. Recipients may not export such data to any non-U.S. person without going through the export approval process. The data must be classified and a determination must be made whether a license is required, or an exception or exemption is available, before proceeding with the export.

### **9.2.20 Verification of End Use and Additional Reporting**

There are three situations which require the exporter to verify an export and provide additional reporting:

- If an item was exported using a license
- If an item on the [Wassenaar list](#) was exported using certain exceptions
- If an item was exported temporarily



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If an item was exported using a license, the exporter must obtain written confirmation that the end user authorized on the license received the item. The exporter must retain this confirmation in their records and provide a copy to the NASA EST within 2 weeks following shipment.

If an item on the Wassenaar list is exported using an exception, as described in part 743 of the EAR, the exporter must include the “[Receipt of Wassenaar Arrangement Commodities](#)” Template with the shipment. This template must be signed by the end-user and returned to the exporter within 5 business days. The exporter must then forward a copy of the signed template to the EST within 5 business days, and retain a copy in his records.

If an item was exported temporarily, the exporter must record the date that the item was to be returned, and notify the EST within 5 business days of the date that the item was actually returned. Refer to Figure D.

### **9.2.21 Procedures for handling non-compliance**

If NASA personnel, NASA contractor personnel or other parties involved in an export have non-compliance concerns regarding the EAR, International Traffic in Arms Regulations ([ITAR](#)), or the NASA ECP, or the inappropriate use of a license, end use of commodities exported under a license, or end-users to a license, they are to immediately notify one of the listed export officials:

- Export Control Representative (ECR)
- Center Export Administrator (CEA)

Personnel with concerns must provide specific information regarding what was exported, when the export occurred, who made and who received the export, countries involved, and the reasons that the person believes a non-compliance issue exists. Concerned persons should inform the cognizant ECR who will contact the CEA. The CEA will contact the NASA Headquarters Export Administrator as necessary. Contact information is found on the [EST Website](#).

### **9.2.22 Unsolicited Request For Information (UFRI)**

Report all unsolicited requests for information to the JSC Counterintelligence and Counterterrorism Office.



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### 9.3 SPECIFIC EXPORT STEPS


MODE OF EXPORT	HARDWARE	SOFTWARE	DATA
JSC Transportation Office	9.3.1	9.3.1	9.3..2
JSC Mail Room	N/A	9.3.2	9.3.2
Electronic (fax, email, ftp)	N/A	9.3.3	9.3.3
Internet/Websites	N/A	9.3.3.1	9.3.3.1
Scientific and Technical Info (STI)	N/A	N/A	6.4
Handcarry	9.3.5.1	9.3.5.1	9.3.5.1
Laptops, PDAs, etc	9.3.5.2	9.3.5.2	9.3.5.2
Personal Contact (Meetings/Telecoms) (THIS IS IN FN ACCESS)	9.3.6.1	9.3.6.1	9.3.6.1

Identify the mode you will use to affect your export on the matrix below and refer to the section noted for the procedure you must follow.

#### 9.3.1 Exports via Shipments by JSC Transportation Office

The [Transportation Branch](#) must receive the following complete, accurate, and approved documents along with hardware, software and technical information to be exported:

- The Export Control Request and Approval Worksheet (JSC Form 1724). (Note: ECRs may approve if “No License is Required” (NLR).
- Pro Forma Invoice (JSC Form 1735). You must utilize <http://www.census.gov/foreign-trade/schedules/b/index.html> for assistance with Schedule B numbers. See Pro Forma Invoice (JSC Form 1735) for more detailed instructions. Cite the USML category, the Export Control Classification Number (ECCN), and/or the license exception/exemption, as applicable, on this form.

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- [Shipping document \(JSC Form 290\\*\)](#). See [CWI JB9W-09](#), How to Prepare and Process JSC Form 290 Shipping Document for assistance.

You may request assistance filling out these forms from your ECR or the EST. Exports that require a license, license exception or license exemption require the review and concurrence/approval of the EST.

Exporters and the cognizant exporting organization are responsible for maintaining all records for exports as outlined in Section 10 of this JSC work instruction.

### 9.3.2 Exports of Software or Technical Data by JSC Mail Center

Users and ECRs must be alert to identify exports that occur when using the “Request for Shipment of Printed Matter” form ([JSC Form 195\\*](#)) for mailing documents or any printed matter, either hard copy or electronic media such as; documents, journals, photographs, software. When use of the JF195 results in an export, the requestor shall process and attach the appropriate export documentation, e.g., JF1724, JF1735, NF 1676, etc. The JSC Form 195 requires the originator to state whether the items being shipped will be sent outside the U.S. or to a foreign national or foreign representative.

\* The JSC Mail Center shall not be used for shipments of hardware.

### 9.3.3 Electronic Transfer of Technical Data (Information)

Information can be exported in many electronic forms, such as;


- Website; Email; Facsimile; Share folders / servers; File Transfer Protocol (FTP); Flash cards, Memory sticks; CD-ROM, Zip Disk, diskettes; Workstation and Laptops, Personal Digital Assistant (PDA)

Regardless of the media, the data must be classified before it can be exported. Complete form 1724 and contact your ECR for assistance.

If the technical data is subject to export control, consult your [Organizational Computer Security Official \(OCSO\)](#) to determine the best method to secure the data prior to exporting (i.e. encryption, password protection). Electronic transfers of technical data must be controlled to known, authorized recipients to avoid an unauthorized exports and public release.

#### 9.3.3.1 Websites

Making information available through a website that is not restricted to U.S. persons may be an export because non-U.S. persons (Foreign Persons) may have approved Access Control Plans (or Technology Transfer Control Plans) that allow them access to the JSC intranet/websites. It is everyone’s responsibility to protect Export Controlled information from unauthorized access by implementing appropriate controls. Personnel must notify the Information Resources

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Directorate, OCSM, ECRs and EST when they determine or have reason to believe that controlled material is unprotected or inadequately protected on websites.

All JSC websites must be approved through the JSC Website Registration Process. A collaborative review including the EST, ECR, line manager, system administrator, data owner, and OCSM is needed to obtain a website registration. Export considerations are included in the registration process and final approval is provided by the [JSC Applications Control Board \(ACB\)](#).

The ACB (Applications Control Board) representative sends new website registration requests to the EST e-mail inbox. The EST identifies the cognizant organization's ECR and forwards the review request with a copy of the notice to the ACB representative. If there is no cognizant ECR, the EST will review the website. The reviewer is given 14 calendar days to complete the review and submit the recommendation, with rationale, directly to the ACB representative with a copy to the EST.

If the Network Access Control Board (NACB) representative does not receive the completed review by the due date, they may take additional action to obtain a completed review. That action may include: providing additional time to complete the review, contacting the cognizant directorate management representative, restricting website access to U.S. persons, removing/blocking the website from the JSC internet or access restrictions, requiring password or other protection conventions.


All websites will have adequate control and protection conventions in place prior to receiving ACB release approval. When the review is complete the ACB will forward their approval notice to the EST inbox, organization's OCSO, and Requestor.

When a previously reviewed and approved website is updated with significant content change, the requestor must obtain a new website approval following the process described above. "Significant content change" is considered to be such things as adding new types of technical data and controlled information, not previously provided on the website, and adding links to websites containing controlled content.

Users should seek assistance from the cognizant organization's OCSM, Organizational IT lead, ECR or the EST before posting the new content. The reviewer must keep a record of what content was changed and the rationale for the approval of the change. They may also send this information to the EST inbox.

Publicly available websites must be approved through the Release of Scientific and Technical Information (STI) process using NASA Form 1676 (see section 9.3.4). However, if the content is not technical in nature then the website may be approved by the ECR or EST and the Public Affairs Office

All JSC employees must observe the JSC IT Security Guidelines as stated in JPG 2810.1. Note that the approval of web content is a separate action from authorizing individuals access to the site and information contained therein.

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### 9.3.4 Scientific and Technical Information (STI) – Public Release of Technical Data \*


The NASA STI program is responsible for providing "the widest practicable and appropriate dissemination of information concerning its activities" produced by and for NASA to the public per National Aeronautics and Space Act of 1958. However, release of scientific and technical information, shall be accomplished in accordance with NPD 2200.1, Management of NASA Scientific and Technical Information (STI) as augmented by NPR 2200.2B, Requirements for Documentation, Approval, and Dissemination of NASA Scientific and Technical Information.

Pursuant to law, certain types of information are required to be protected from public disclosure and designated restricted-access information in the following categories:

- National-security-classified information;
- Export –controlled information;
- Personal information subject to the Privacy Act; and
- Proprietary Information
- Limited Rights Data
  - Small Business Innovative Research (SBIR) Data
  - Copyrighted information
  - Documents disclosing inventions

All NASA STI, regardless of the channel or media, intended for dissemination to an audience external to NASA or internal conferences or meetings in which foreign nationals may be present shall be reviewed and approved via the Document Availability Authorization (DAA) review process (using the electronic NF-1676) prior to being published, disseminated, or presented external to NASA (or presented at internal meetings or conferences at which foreign nationals may be present). This includes emails and casual conversations that divulge technical information to foreign nationals other than that stemming from fundamental research.

- At JSC, the DAA is performed using the electronic NF-1676:
  - NASA Contractors will also submit the forms specified in their contract including their signed company form specifying the export classification of the information and company recommendation for public or restricted release of the information
  - [STI disclosure Export Control rationale checklist](#)

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Requesters shall submit the “rationale checklist” and NASA form 1676 along with a copy of the paper/presentation/document to be released to your organization’s ECR. If the request is for updates or changes a previously released paper you must clearly indicate the revisions or change (change bars, underlines, etc.)s in your submittal. The purpose of the ECR review is to determine if the information is appropriate for public release or restricted for Export Control under the ITAR or EAR or other export regulatory agency, e.g. Nuclear Regulator Agency.

Technical information that may only be released using an export license, exemption or exception must be submitted with the NF 1676, rationale checklist and cognizant ECR recommendation to the Alternate CEA (ACEA) or CEA for review and approval or denial. Following ACEA or CEA review, the forms will be processed through, Technology Transfer Office, JSC Legal Office, and JSC Security for a Classification review. If approved for unrestricted dissemination, the technical information is released into the Public Domain (pursuant to JPD 2200.1).

[\* The section addresses only that part of the STI review process related to export compliance. Questions related to STI review activities must be directed to the Information Resources Directorate who is responsible for the overall process.]

### 9.3.5 Hand Carry


All JSC hardware, software, and data must be classified according to the Export Control regulations prior to hand carrying the item(s) to another country.

#### 9.3.5.1 Hand carry of Hardware, Software and Data

Hardware, software or technical data being hand carried out of the United States must follow the same procedure as items being shipped, see section 9.3.1.

- The Export Control Request and Approval Worksheet (JSC Form 1724) and Pro Forma Invoice (JSC Form 1735) or equivalent documentation must be completed and approved by export control, and accompany the export to Transportation (see section 6.12 for more details on how to complete these forms). You can get assistance filling out these forms from your ECR or the EST.
- Travelers should review [CWI JB9W-09](#), “How to Prepare and Process JSC Form 290 Shipping Document” to determine when a JSC Form 290 is required for shipments They may also contact the JSC Transportation Branch for assistance.
- For unit items valued at \$2,500 or more you must include the “Schedule B numbers.” Use <http://www.census.gov/foreign-trade/schedules/b/> for assistance.
- You are responsible for maintaining all records for exports as outlined in Section 10.
- All hand carry items must have applicable export authorization prior to export.
- If a license exception or exemption applies, the EST must concur prior to export.




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- If the export requires a license, the Center Export Administrator must approve.

### 9.3.5.2 Hand Carry of Laptops and Other Handheld Computer Devices

The phrase “Handheld computers devices” includes all laptops, notebooks, Personal Digital Assistants (PDA), handheld computers (i.e. Blackberry), cellular phones, and other similar devices. Handheld computer devices can be hand carried for individual or programmatic work use. When devices are used for individual or programmatic work related activities, they may be classified as “tools of the trade” because they are necessary for the performance of work obligations while abroad. Tools of the trade must remain at all times under the control of the individual who hand carried it and they may not be shared with a foreign national under this authorization. (NOTE: Although these devices are used by individual persons, their export may only be approved “official” and not “personal” use.)

- The JSC EST has classified the “JSC Standard Load” as well as other additional software items commonly used on personal computers at JSC. This information is available on the EST website at <http://www6.jsc.nasa.gov/exportcontrol/export/ExportHelp.htm>.
- If a traveler is carrying a handheld computer or storage device (e.g. CD-ROM, Flash card, etc.) outside the United States with software or data other than the JSC Standard Load, they must determine the export classification and complete documentation to record these items. (The first point of contract is the organization’s ECR.). This can be done, using an Export Control Worksheet and Pro Forma Invoice (JSC Forms 1724 and 1735). The record must list all the software loaded onto the handheld computer as well as all data that the user has put onto the device.
- It is strongly recommended that personnel: use a loaner laptop when possible, only take data with them that is required to support their out of country activities, and “back-up” all data before it is taken outside the U.S. It is advisable to create and keep a hard copy list of all data and files that will leave in the U.S. regardless of whether it will return with the traveler. Additional security features are available and should be used to help protect NASA’s data. Consult your OCSM for assistance.
- For recordkeeping purposes, the traveler should leave documentation with their ECR where it can be easily accessed in case the computer is lost or stolen. The purpose of preparing this documentation is not to submit these forms to Customs, but to have a complete record at JSC listing what is being taken out of the country.
- **For handheld computers hand carried out of the country for 30 days or less, a Property Pass (NASA Form 892, Property Pass and Removal Permit) is required to document the movement of the equipment.** When a Property Pass

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is used (and no packing is required) the traveler is not required to process the laptop through JSC Transportation.

- For handheld computers taken out of the country for 31 days up to one year, or if special packing of the handheld computer is needed, the JSC Form 290 is required. The JSC Form 290 is required to be processed through the Logistics Division Customer Service Desk located in Building 419 even on hand carried items.
- For handheld computers taken out of the country for a period of one year or more, a Shipper's Export Declaration (SED) is still required and generated by the JSC Transportation Branch. Data required to completed the SED is obtained directly from the information provided by the exporter and contained within the completed JSC Form 1735 (Pro Forma Invoice).

While there are generally no U.S. laws restricting the export of software containing encryption capabilities to other countries, there are Russian laws that may restrict the import of this software. When traveling to Russia, the traveler should list the handheld computer on the Personal Item Declaration form upon arrival but not the actual software and data. Check with your ECR for more information on this issue.

If you have shipping questions, contact the Lead, Center Transportation Office.

## 9.3.6 Foreign National Access


### 9.3.6.1 Visit Approval

Foreign persons and U.S. persons representing a foreign organization (Foreign Representatives) must request and receive a badge according to JPG 1370.1, Procedures and Guidelines for Processing JSC Visit/Badging Requests for Foreign Nationals and Representatives and CWI J29W-02, Foreign National Badge Requests (latest revision) (To be replaced by JWI 1371\_1 when approved). **Any information or item discussed, viewed, transferred, conveyed, etc. during a Foreign National (FN) visit or Meeting/Telecom is considered an export to their country of citizenship, or to the organization they represent. Therefore, the information provided to a Foreign Person or Foreign Representative (regardless of the means of conveyance or location) is considered an export of that data.** The subject of (reason for) the visit must be evaluated and approved/authorized as required for any other export.

The steps for processing a badge request for a FN visit are detailed in CWI J29W02 (To be replaced by JWI 1371\_1 when approved).

Reviewers depend on the accuracy and completeness of the information provided. The more complete and accurate the information the more efficiently the reviewers can process the request. You must follow the requirements in CWI J29W02 (JWI 1371\_1 when approved) to avoid delay or denial of a FN badge request. Those requirements include attention to such activities as:



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- Allowing sufficient time to process and review the badge request. In general you should allow at least 10 days (for the export control review) after you complete and submit all signed documentation for review of an escorted FN visit and enter the required data into the electronic NASA Foreign National Management System (NFMMS). Other organizations also need time to review the request. Approval of unescorted visits and visits by persons from “Designated Countries” may take as long as 6 months. Processing time is also effected by the complexity of the request, resources and facilities being accessed and sensitivity of information involved.
- Making sure that your organization identifies an individual (host, sponsor, or requestor) other than the person for whom the badge is requested who is familiar with and knowledgeable of the technical requirements of the visit and the visitor. That individual must be available and able to answer questions about the visitor and the visit. Whenever possible, that the individual be a U.S. person, Civil Servant or NASA Contractor employee.
- Making sure that all information provided is complete, accurate and makes logical sense to a non-technical reviewer. Also, you are required to list visitor claims of Dual Citizenship. Limitations placed on access to facilities and resources must be based on the most restrictive countries of origin (i.e., a Canadian/Chinese citizen must be badged as a Chinese citizen).

[\* NOTE The Foreign National Badge Request Review process is controlled by the International Visit Coordinator (IVC). This section deals with the export compliance aspects of that review. Questions about the process must be directed to the IVC.]

### 9.3.6.2 Access Control Plan

An electronic ACP (JSC Form 1020) (also called a Security/Technology Transfer Control Plan (STTCP) or Technical Control Plan (TCP) is required for the Center to assess and control unescorted physical access to facilities, access after normal business hours (7:30 a.m.-5:30 p.m.), and any access to computer resources that may be made available to a FN. It is the responsibility of the requiring organization(s) to process an Access Control Plan as required in CWI J29W02 with complete and accurate information.

An Access Control Plan provides a written record of certification that the FN visitor/employee will abide by restrictions placed on their visit. It documents all unescorted physical access to facilities, any access to computer resources and any limitations on access. Only the current version of the ACP available as JSC Form 1020 is accepted. The ACP provides the complete list of buildings and facilities for which unescorted physical access is requested (NOTE “All” will not be accepted). The ACP describes requested access to any computer resources and access required after normal business hours. The requester provides the rationale or justification as applicable depending on the type(s) of access requested. Note: An ACP for contractor employees must be signed by the company official knowledgeable of the employee's duties and responsibilities from an export control perspective.


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\* Requests for visits/assignments of Permanent Resident Aliens (who are not Foreign Representatives) are not reviewed by the Export Services Team. The cognizant organization ECR reviews and signs the documentation for the technical organization before additional processing by JSC Security and the JSC IVC.

Meetings and teleconferences involving Foreign Nationals necessitate the same review and approvals described above because you are considered to be exporting to those countries. The export control requirements remain in force regardless of the meeting location. Refer to Process Flow FD for general guidance. Some meetings may require unique processes or procedures to facilitate export compliance. In general, the meeting leader must:

- Work with the ECR and presenters to classify (or verify that there are approved classifications and export authority for) all technical data presented. (Remember that discussions and answers to questions may reveal technical information.) Clear Foreign National attendees or verify that they are authorized to attend and receive the technical information presented. The meeting leader is responsible for informing local attendees that Foreign Nationals will be present. It is preferable to determine this before the meeting begins to allow presenters to get export authorization and to avoid having to dismiss FNs who are not authorized to receive some or all of the technical information.
- Information (including technical data and technical know-how) to be disclosed or discussed must be classified for export, including determination of what information is in the Public Domain. If you have any questions, consult your ECR.
- Identify the names and citizenship(s) of all attendees. (Note that Legal Resident Aliens (AKA Permanent Resident Aliens and Green card holders) are treated as US persons for export control purposes. They are required to keep documentation of their status on their person at all times and present it as evidence of their status when requested. Do not rely on verbal representations.)
- The Meeting Lead must always check names of foreign attendees against the Denied Parties List, the Entities list, the List of Debarred Parties and the Specially Designated Nationals list prior to the start of the meeting. Individuals for whom information is not available (such as last minute arrivals and substitute attendees) should be excluded from receiving information that has not been determined to be suitable for public release.

For on-site meetings, the Meeting Lead must refer to the CWI J29W02 "Foreign National Badge Requests". For any export of hardware, or software or technical data through personal contact (even during or as part of a meeting), you must follow the same procedures as for hand carries as detailed in Section 9.3.5 . Prior to exporting the Export Control Request and Approval

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Worksheet (JSC Form 1724) and Pro Forma Invoice (JSC Form 1735) must be completed. All exports on the forms must be approved, and a copy of the forms must be provided to your ECR or the EST (instead of to the JSC Transportation Office).

### 9.3.6.7 International Travel

All employees who travel abroad must receive an annual travel security briefing from the JSC Security Office.

Some things to keep in mind when preparing for a trip:


- If you take an item with you out of the country, it is an export, even if you never intend to and never do show it to any foreign person – this includes everything in your briefcase and anything you carry with you in electronic form.
- Do not assume that anything will be secure in your hotel room, safe or a checked bag. Take additional precautions if you have a controlled export (such as using bonded or U.S. Government controlled storage facilities).
- Allow adequate lead-time prior to your trip to obtain any necessary authorization to carry controlled items with you and to allow the responsible export officials reasonable time to analyze your request and take any necessary action to secure approval. Export review, classification and sometimes authorization can be completed without having prepared travel orders.
- Check with your ECR before leaving on travel.
- Use the resources available from the JSC security office and Counterintelligence (CI) Office. The security officers and CI Agents can provide information on your destination, i.e., security of accommodations, surrounding areas, and special precautions required.

Think about how the items you plan to carry with you might appear to airport security and customs officials – if available, carry appropriate documentation relating to your official travel status and purpose of your travel and items you carry to ensure smooth passage through customs.

## 9.4 Contracts

Export compliance extends to JSC contracts and solicitations. The key reference is Section 1852.225-70, "Export Licenses," in the NASA Federal Acquisition Regulations (FAR) Supplement, or NASA FAR Supplement (NFS). Additional procedures and instructions related to export compliance are provided in NFS Sections **1825.1103-70 Export control**, and 1825.1103-70 (b), "Contract clause."

Contracting officers must add the NFS clause at Section 1852.225-70 to the appropriate section of all JSC contracts and solicitations that will involve exports.

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#### 9.4.1 Acquisition Activities and Technical Data

Technical Data and information must be reviewed and approved by the appropriate authority prior to any public release using the processes described above, including their release in support of an acquisition activity (e.g. “full and open competition,” requests for proposal, bidder’s libraries, etc.). (NOTE that technical data which has been approved for public release via NASA Form 1676, and information related to business issues, law and contract clauses, schedules cost, etc., do not require additional access restrictions or review for export control purposes.) It is the responsibility of the person leading the acquisition effort to ensure that information is properly marked as either controlled for export control purposes or suitable for public release. (NOTE: Other conventions effecting the release of documents and information also apply, but are not the subject of this document.) It is also the responsibility of the person leading the acquisition effort to ensure that all parties are appropriately vetted prior to allowing/granting them access to export controlled technical data. This requires independent verification of identity information provided by persons requesting access to technical data. Verification by the security or human resources representative for a U.S. person (i.e. corporation or company) or other resources such as NASA Security Offices.

#### 9.4.2 Contracts, Grants, and Agreements


Personnel involved in preparing, coordinating, conducting, or modifying contracts, grants and agreements must anticipate and identify related export activities where they may occur as early as possible. Activities and products can be identified through analysis of tasks, project milestones or other schedules, keeping in mind the definition of what is an export (see Section 3). Remember that most products and technical data can be classified for export purposes even before work on them is complete. For timely completion of all actions required to effect exports properly, the following are examples of the types of things that must be identified:

- Items to be exported, software or technical data (information)
- expected and potential purpose and use
- the NASA obligation to export to the end-user
- country destinations including all intermediate stops
- intermediaries and end-users (such as persons, agencies or contractors)
- temporary or permanent nature of exports
- Use of “non-U.S. persons (including students, assistants, etc.)

Contact your ECR or the Export Services Team for additional assistance.

## 10 RECORDS

Commerce and State Department regulations require that all exports be documented and the export records be kept for a designated period of time. Sections 10.1 and 10.2 provide summaries of the types of documents, which must be retained, and the length of time the

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documents must be retained, as required by the EAR and ITAR. Section 10.3 provides recordkeeping guidelines for all employees who export hardware, software or data.

### **10.1 EAR Requirements (15 CFR 762.1\*)**

The EAR requires the following records be retained (where applicable):

- License, application and all supporting documentation
- Delivery Verification Certificate
- Shipper's Export Declaration
- Dock receipt bill of lading
- Customs Form 7512, Transportation Entry and Manifest of Goods
- Any documents issued by a U.S. Government agency as evidence of the existence of a license
- Memoranda, Notes, Correspondence, Meeting Minutes
- Contracts
- Invitations to bid
- Books of accounts, financial records
- Restrictive trade practice or boycott documents and reports
- Other records pertaining to exports of commodities, software or technology


Records must be kept for 5 years from the date of export unless otherwise specified under a license. If the Bureau of Industry and Security (BIS) requests records, they may not be destroyed without written permission, even after 5 years. The government can issue a subpoena for records to be produced.

### **10.2 ITAR Requirements (22 CFR 122.5 and 123.26)**

The following recordkeeping requirements concerning defense articles and defense services are from [22 CFR 122.5\\*](#):

- Requires maintaining records concerning manufacture, acquisition and disposition of defense articles and the provision of defense services.
- Records must be maintained for 5 years from the expiration of the license.
- Records must be made available to Office of Defense Trade Controls for inspection if requested.

The following recordkeeping requirements concerning technical data are from [22 CFR 123.26\\*](#):

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- Requires records be kept for exports of technical data effected using an exemption
- Records to include description of data, name of recipient, date and time of export, and method of transmission.
- Records must be kept for 5 years.


### 10.3 Requirements for Employees who Export Items

Each Directorate and Program/Project office may establish unique internal procedures for meeting the recordkeeping requirements of the EAR and ITAR. In the absence of internal procedures, all employees who export items must maintain a filing system that allows quick retrieval of records. Exporters must keep the following information on file if applicable to their export, or know where to obtain it:


- Export Control Forms
  - JSC Form 1724 Export Request and Approval Worksheet
  - JSC Form 1735 Pro Forma Invoice
- Specific information regarding the item being exported:
  - Whether it is a temporary or permanent export. Date of expected return (if temporary)
  - Requirement or agreement in place to provide export (MOU, BDEALS, Contract etc.)
  - Purpose for export (what is the end use?)
  - Which program/project the export supports (ISS, Shuttle, etc.)
  - Detailed description of item(s)
  - To whom it is being exported (who is the end user?)
  - Date denied parties/entities lists where checked
  - Who determined classification and who approved it
- Correspondence with any Export Official
- Copies of all shipping Documents

Records can be kept on paper or electronically, as long as:

- They can be reproduced on paper
- All characteristics of original must be reproduced
- They must be legible.
- The system must preserve the initial image and record all changes, who made them and when


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- There must be procedures for operation and maintenance of the system

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## 11 APPENDICES - FLOW DIAGRAM OR OTHER ATTACHMENTS



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## APPENDIX A EXPORT RELATED FORMS

<u>Form</u>	<u>Title</u>	<u>Usage</u>
<a href="#"><u>JSC Form 195</u></a>	Request For Shipment Of Printed Matter	Used when shipping printed matter such as documents, journals, photographs, software.
<a href="#"><u>JSC Form 290</u></a>	Shipping Document	Required for shipping or transferring accountability of property to offsite locations.
<a href="#"><u>JSC Form 548</u></a>	JSC Approval of External Presentations/Papers, Journal Articles, and NASA Scientific and Technical Reports Series - OBSOLETE	OBSOLETE – USE NF 1676
<a href="#"><u>JSC 1724</u></a>	Export Control Request/Authorization Form	This form is used to submit information to one's Export Control Representative or the JSC Export Control for assistance with an export.
<a href="#"><u>JSC 1735</u></a>	Pro Forma Invoice	Required for shipping or transferring Provides information on the hardware being shipped to include part name, part number, serial number, quantity, manufacturer and country of origin, cost, and export classification.
<a href="#"><u>NASA Form 1167</u></a>	Request for Approval of Foreign Training & Non Program Travel or Participation in Domestic Symposia	Used if attending a foreign training session, foreign outside meeting, and for participation in domestic (50 States) outside symposia. Used in accordance with NPD 3410.2, "Employee and Organizational Development".
<a href="#"><u>NASA Form 1676</u></a>	NASA Scientific and Technical Document Availability Authorization (DAA)	Must be submitted for review by NASA contractors without civil service coauthors prior to release of data if required by their contract. Per NPG 2200.2A.
<a href="http://acp.jsc.nasa.gov"><u>http://acp.jsc.nasa.gov</u></a>	Access Control Plan	An ACP must be approved by the NASA sponsor for a foreign national who is an employee of a U.S. company or is a non-U.S. citizen requiring access


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Wassenaar  
Arrangement  
Commodities

Wassenaar Arrangement  
Commodities Form

longer than 29 days, unescorted access, access after normal business hours, or to request access to JSC computer resources and systems.

Upon identifying SL/VSL commodities in a shipment, a NASA Export Official will supply this form to the export end-user who will sign and date this form indicating receipt of Sensitive List or Very Sensitive List commodities and return within five business days.

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## APPENDIX B

### ACRONYM/ABBREVIATION LIST



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ACP – Access Control Plan

AECA – Arms Export Control Act

AIS - Automated Information Systems

ARC – Ames Research Center

ATV - Automated Transfer Vehicle

BDEALS – Bilateral Data Exchange Agreements, List and Schedules

BHSEALS – Bilateral Hardware and Software Exchange Agreements, List and Schedules

BIS – Bureau of Industry and Security (Formerly Bureau of Export Administration (BXA))

CAM – Centrifuge Accommodation Module

CBT – Computer Based Training

CCL – Commerce Control List

CEA – Center Export Administrator

CFR – Code of Federal Regulations

CIO – Chief Information Officer

CJ - Commodity Jurisdiction

COTS – Commercial Of The Shelf

DAA – Document Availability Authorization

DoC – Department of Commerce

DoD – Department of Defense

DoS – Department of State

DPL – Denied Parties List

DQA – Data Quality Assurance

EAA – Export Administration Act

EAR – Export Administration Regulations

ECCN – Export Control Classification Number

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ECP – Export Control Plan

ECR – Export Control Representative

EL – Entities List

ENC - Encryption

EST – Export Services Team

FAR – Final Acceptance Review

FN – Foreign National

FOIA – Freedom of Information Act

FRR – Flight Readiness Review

FTP – File Transfer Protocol

GBL – Government Bill of Lading

GJ – Government Jurisdiction

GPS – Global Positioning System

HEA – Headquarters Export Administrator

HQ - Headquarters

HTV – H-II Transfer Vehicle

ICL - International Cooperative License

IP – International Participant/Partner

IPR – Interim Project Review

ISD – Information Systems Directorate

ISS – International Space Station

IT – Information Technology

ITAR – International Traffic in Arms Regulations

IVC – International Visit Coordinator

IVL - Individual Validated License

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JSC – Johnson Space Center

KSC – Kennedy Space Center

MOU – Memorandum of Understanding

MPLM – Multi Purpose Logistics Module

MSFC – Marshall Space Flight Center

NAC - National Agency Check

NACB – Network Access Control Board

NASA – National Aeronautics and Space Administration

NFNMS – NASA Foreign National Management System

NLR – No License Required

OCSM – Organizational Computer Security Manager

ODTC – Office of Defense Trade Controls

OEE – Office of Export Enforcement

PAO – Public Affairs Office

PD - Payload Developer

PI - Principal Investigator

PDIT – Program Data Integration Team

POIC – Payload Operations Integration Center

RefID – Reference Identification

RFR – Request For Request

SCL - Special Comprehensive License

SED – Shipper’s Export Declaration

SL – Sensitive List

SORR – Stage Operations Readiness Review

SPDM – Special Purpose Dexterous Manipulator



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SR – Service Request

SSP – Space Shuttle Program

STI – Scientific and Technical Information

TAA – Technical Assistant Agreement

TIM – Technical Interchange Meeting

TMP – Temporary

TSR – Technology and Software under Restriction

TSU – Technology and Software Unrestricted

URFI - Unsolicited Request For Information

U.S. – United States

U.S.C. – United States Code

USML – United States Munitions List

USOS – United States On-Orbit Segment

VSL – Very Sensitive List

WSTF – White Sands Test Facility

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## APPENDIX C REFERENCES *(IF APPLICABLE)*

None

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## APPENDIX D DEFINITIONS

### 6.0 D.1 DEFINITIONS

**Bilateral Data Exchange Agreements, List & Schedules (BDEALS):** Current lists of data that has been exported and is anticipated to be exported to the European Space Agency (ESA) can be found in the BDEALS.

**Bilateral Hardware and Software Exchange Agreement List and Schedules (BHSEALS):** Current lists of hardware and software that has been exported and is anticipated to be exported to the European Space Agency (ESA) can be found in the BSHEALS.

**Bureau of Industry and Security (BIS):** An Agency within the Department of Commerce (DOC) that is responsible for administering and enforcing export controls on "dual-use" items. BXA administers the Export Administration Act (EAA) by developing export control policies, issuing export licenses, and prosecuting violators

**Classification (for export):** The Category of the CCL or USML assigned to a commodity (item of hardware, software, or technical information). An item may be classified through a rationalized decision by an exporter, ECR, or the EST. However, the Commerce Department or the State Department may officially assign classification to an item through either the Commerce Department's Commodity Classification process, or through the State Department's interagency Commodity Jurisdiction process. The exporter is responsible for making sure an item is classified properly.

**Code of Federal Regulations (CFR):** The CFR is the codification of the rules published in the Federal Register by the Executive departments and agencies of the Federal Government. The Export Administration Regulations are in 15 CFR [Chapter VII], parts 730-774. The International Traffic In Arms Regulations are in 22 CFR parts 120-130.

**Commerce Control List (CCL):** The CCL is part of the Export Administration Regulations (EAR), which is administered by the U.S. Department of Commerce. The CCL describes "dual-use" commodities (that is, hardware, software, or technology which can be used for either military or civil purposes) that are subject to EAR export controls, according to the EAR categorizing system of Export Control Classification Numbers (ECCNs).

**Commodity Jurisdiction (CJ):** A commodity jurisdiction is a request that determines whether an item or service is subject to the export licensing authority of the Department of Commerce (BIS) or the Office of Defense Trade Control (DTC) within the Department of State. BIS is the primary licensing agency for dual-use exports, while the DTC licenses defense articles and services.

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**Consignee:** A Consignee is an intermediate party to an export transaction, who takes at least temporary custody of an item while it is in transit between the exporter and the ultimate end-user. Examples include freight forwarders (shippers); entities modifying an item in a foreign country prior to its delivery to a third country; and contractors to foreign governments.

**Defense Article:** Any item listed on the USML, including “technical data.”

**Defense Trade Controls (DTC):** The Directorate of Defense Trade Controls (DTC), in accordance with sections 38-40 of the Arms Export Control Act (AECA) (22 U.S.C. 2778-80) and the International Traffic in Arms Regulations (ITAR)(22 C.F.R. Parts 120-130), controls the export and temporary import of defense articles and services by taking final action on license applications and other requests for approval for defense trade exports and retransfers, and handling matters related to defense trade compliance, enforcement and reporting.

**Denied Persons List:** A list, referenced in Supplement No. 2 to part 764 of the EAR, of specific persons who have been denied export privileges, in whole or in part. The full text of each order denying export privileges is published in the Federal Register.

**Department of Commerce:** The Department of Commerce has jurisdiction over items that are controlled due to national security, foreign policy, missile proliferation concerns and protecting short supply. For example, the International Space Station (ISS) itself and its uniquely designed components, including most off the shelf or non-unique ISS components and most data related to the ISS. In general, these things have a primarily civil purpose but some things can be dual use (encryption software is a good example) and these are more tightly controlled.

**Department of State:** The Department of State has jurisdiction over items that are controlled for national security. For example, the detailed design, development and manufacturing information related to the ISS (the “know-how”), the Shuttle and the X38 and CRV (as autonomous re-entry vehicles) and certain equipment that may go on ISS (some types of GPS, radiation hardened parts and other things with significant military applications).

**Destination Control Statements:** Statements that show an item is export controlled and must not be re-transferred or re-exported. This can be required by a license, an exemption or exception, or by policy.

**Detailed Design Data:** Design Review Data Packages (in total), possible subsets of Data Packages, Build-to-print information, etc. that would enable a party to re-create an item, in whole or in part.

**Directorate of Defense Trade Control (ODTC):** The office at the Department of State (DOS), which administers licenses, defense services, and defense (munitions) articles.

**Dual Use Items:** Dual Use Items **may have** both non-military and military use.

**Encryption:** It is the conversion of plain text into cipher text by the means of a cryptographic system or code. Basically, encryption makes information unintelligible to an unauthorized user.

**Entities List:** The Bureau of Industry and Security maintains a list of firms and individuals who have been denied export and re-export privileges.

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**Exception:** An EAR authorization that allows an export or re-export of an otherwise controlled item to proceed without a license, provided that certain specified conditions are met. "Exception" is a BIS term and applies only to items under the jurisdiction of the EAR. Use of Exceptions for exports must have the concurrence of the CEA or the HEA. See 15 CFR, Part 740 for a description of all EAR License Exceptions.

**Exemption:** An ITAR authorization from DTC for exports of unclassified defense articles and defense services without a license under certain specific provisions or limitations. Exemptions can be found in the ITAR. All conditions of an Exemption must be met before use is authorized. Use of Exemptions for exports must have the concurrence of the CEA or the HEA. See 22 CFR Parts 123, 125, and 126 for a description of the most relevant ITAR License Exemptions.

**Export Administration Act (EAA):** The EAA is the legislative authority that grants the Department of Commerce (DOC) the authority to issue regulations, and to administer and enforce export controls for national security, foreign policy and short supply.

**Export Administration Regulations (EAR):** The EAR is Parts 730 through 774 of the Code of Federal Regulations (15 CFR 730-774) that are administered by the U.S. Department of Commerce. The EAR defines export controls and commodities (hardware, software, and technology) that are subject to the export control authority of the Commerce Department. EAR-controlled items are referred to collectively as the Commerce Control List (CCL).

**Export Control Classification Number (ECCN):** An Export Control Classification Number (ECCN) is used to identify individual items on the Commerce Control List (CCL).

**Foreign National (FN):** **Synonymous with "Foreign Person" as defined in ITAR 120.16.** Any natural person who is not a lawful permanent resident as defined by 8 U.S.C. 1101(a)(20) or who is not a protected individual as defined by 8 U.S.C. 1324b(a)(3). It also means any foreign corporation, business association, partnership, trust, society or any other entity or group that is not incorporated or organized to do business in the United States, as well as international organizations, foreign governments and any agency or subdivision of foreign governments (e.g. diplomatic missions).

**Freedom of Information Act (FOIA):** The Freedom of Information Act (FOIA) is a federal statute. FOIA generally provides that any person has a right to request access to federal agency records, except to the extent the records are protected from disclosure by any of nine exemptions contained in the law or by one of three special law enforcement record exclusions.

**Government Bill of Lading (GBL):** This is the primary document used by the U.S. government to procure freight and transportation services from commercial carriers. A GBL must be used for shipments of any ITAR-controlled items authorized for release. NASA may affect the export itself or issue a GBL to a contractor and direct the contractor to effect the shipment on NASA's behalf.

**Individual Validated License (IVL):** A license specifically obtained for the export of a particular item.

**International Traffic in Arms Regulations (ITAR):** The ITAR are Parts 120 through 130 of the Code of Federal Regulations (22 CFR 120-130) that are administered by the U.S. State

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Department. The ITAR defines export controls and military commodities (goods and services) that are subject to the export control authority of the State Department. ITAR-controlled items are referred to collectively as the U.S. Munitions List (USML).

**License:** A document bearing the word license issued by the Director, Directorate of Defense Trade Controls or his authorized designee which permits the export or temporary import of a specific defense article or defense service controlled by the ITAR or EAR.

**License Exception:** An authorization contained in Part 740 of the Export Administration Regulations (EAR) that allows the export or re-export, under stated conditions (i.e., quantity, commercial value, country of destination, identity of the exporter, and identity of the end user), of items subject to the EAR that would otherwise require a license.

**License Exemptions:** An authorization contained in the International Traffic in Arms Regulations (ITAR) that allows the export or re-export, under stated conditions, of items subject to the ITAR that would otherwise require a license.

**List of Debarred Parties:** List published by ODTIC. The persons on this list have been convicted of violating or conspiracy to violate the Arms Export Control Act (AECA). As a consequence, they are subject to "statutory debarment" pursuant to section 38(g)(4) of the AECA and section 127.7 of the International Traffic in Arms Regulations. Thus, they are prohibited from participating directly or indirectly in the export of defense articles (including technical data) and defense services. The names of these parties and their ineligibility for defense trade have been previously published by the ODTIC in the Federal Register. Statutory debarment remains in effect unless the debarred person's application for reinstatement of export privileges is granted by the ODTIC. Notice of reinstatement will be published in Federal Register and the person's name will be removed from the list.

**Office of Foreign Assets Control (OFAC):** The organization that controls access to Foreign controlled assets and maintains the **Specially Designated Nationals List**, which lists individuals and companies owned or controlled by foreign countries.

**Public Domain:** Information that is published and generally accessible or available to the public.

**Shipper's Export Declaration (SED):** A shipping document used by the Bureau of Census for compiling official U.S. export trade statistics and by the Bureau of Export Administration (BIS) in administering and enforcing the Export Administration Act (EAA) and its regulations.

**Software:** Includes, but not limited to, the system functional design, logic flow, algorithms, application programs, operating systems and support software for design, implementation, test, operation, diagnosis and repair.

**Special Comprehensive License (SCL):** An individual export license established for pre-approved commodities, software, and/or technical data to pre-approved consignees and/or destinations.

**Specially Designated Nationals List:** As part of its enforcement efforts, OFAC publishes a list of individuals and companies owned or controlled by, or acting for or on behalf of, targeted countries. It also lists individuals, groups, and entities, such as terrorists and narcotics traffickers

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designated under programs that are not country-specific. Collectively, such individuals and companies are called "Specially Designated Nationals" or "SDNs." Their assets are blocked and U.S. persons are generally prohibited from dealing with them.

**Technical Data:** Information, other than software, required for the design, development, production, manufacture, assembly, operation, repair, testing, maintenance or modification of defense articles. This includes information in the form of blueprints, drawings, photographs, models, plans, instructions and documentation.

**U.S. Person:** A person (as defined in section 120.14 of this part) who is lawful permanent resident as defined by 8 U.S.C. 1101(a)(20) or who is a protected individual as defined by 8 U.S.C. 1324b(a)(3). It also means any corporation, business association, partnership, society, trust, or any other entity, organization or group that is incorporated to do business in the United States. It also includes any governmental (federal, state or local) entity.

**United States Munitions List (USML):** These are defense related items (hardware, software, information, know-how, and services) that are subject to export controls defined in the ITAR and administered by the U.S. State Department.



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## APPENDIX E WEBSITES AND SELECTED WEB PAGES

Access Control Plan (ACP)	<a href="http://acp.jsc.nasa.gov/">http://acp.jsc.nasa.gov/</a>
Bilateral Data Exchange Agreements, List & Schedules (BDEALS)	<a href="http://iss-www.jsc.nasa.gov/nwo/ppco/cmo_dmi/web/book_coord.shtml">http://iss-www.jsc.nasa.gov/nwo/ppco/cmo_dmi/web/book_coord.shtml</a>
Bilateral Hardware and Software Exchange Agreement List and Schedules (BSHEALS)	<a href="http://iss-www.jsc.nasa.gov/nwo/mio/iit/shipments/web/JAXA_BHSEALS.shtml">http://iss-www.jsc.nasa.gov/nwo/mio/iit/shipments/web/JAXA_BHSEALS.shtml</a>
Bureau of Industry and Security (BIS)	<a href="http://www.bis.doc.gov/">http://www.bis.doc.gov/</a>
Center Export Administrator (CEA)	<a href="http://www6.jsc.nasa.gov/exportcontrol/export/EST.htm">http://www6.jsc.nasa.gov/exportcontrol/export/EST.htm</a>
Commerce Control List (CCL)	<a href="http://www.access.gpo.gov/bis/ear/pdf/774.pdf">http://www.access.gpo.gov/bis/ear/pdf/774.pdf</a>
Denied Parties List (DPL)	<a href="http://www.bis.doc.gov/DPL/Default.shtml">http://www.bis.doc.gov/DPL/Default.shtml</a>
Designated Countries List	<a href="http://www.hq.nasa.gov/office/oer/nasaacp/index.html">http://www.hq.nasa.gov/office/oer/nasaacp/index.html</a>
Department of Commerce (DOC)	<a href="http://www.commerce.gov/">http://www.commerce.gov/</a>
Department of State (DOS)	<a href="http://www.state.gov/">http://www.state.gov/</a>
Entities List (EL)	<a href="http://www.bis.doc.gov/ENTITIES/">http://www.bis.doc.gov/ENTITIES/</a>
Export Administrations Regulations (EAR)	<a href="http://www.access.gpo.gov/bis/ear/ear_data.html">http://www.access.gpo.gov/bis/ear/ear_data.html</a>
Export Administrations Regulations for Recordkeeping	<a href="http://www.access.gpo.gov/bis/ear/pdf/762.pdf">http://www.access.gpo.gov/bis/ear/pdf/762.pdf</a>
Export Control Database	<a href="http://www6.jsc.nasa.gov/exportdb/default.cfm">http://www6.jsc.nasa.gov/exportdb/default.cfm</a>

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Export Control Representative (ECR)	<a href="http://www6.jsc.nasa.gov/exportcontrol/export/ECRinfo/ECRlist.xls">http://www6.jsc.nasa.gov/exportcontrol/export/ECRinfo/ECRlist.xls</a>
Export Services Team (EST), JSC	<a href="http://www6.jsc.nasa.gov/exportcontrol/export/EST.htm">http://www6.jsc.nasa.gov/exportcontrol/export/EST.htm</a>
Freedom of Information Act (FOIA)	<a href="http://www.hq.nasa.gov/office/pao/FOIA/">http://www.hq.nasa.gov/office/pao/FOIA/</a>
Headquarters Export Administrator (HEA)	<a href="http://www.hq.nasa.gov/office/0er/nasaecp/Welcome.html">http://www.hq.nasa.gov/office/0er/nasaecp/Welcome.html</a>
International Space Station (ISS)	<a href="http://iss-www.jsc.nasa.gov/ss/issapt/">http://iss-www.jsc.nasa.gov/ss/issapt/</a>
International Traffic in Arms Regulations (ITAR)	<a href="http://www.pmddtc.state.gov/">http://www.pmddtc.state.gov/</a>
International Traffic in Arms Regulations for Recordkeeping requirements concerning defense articles and defense services § 122.5	<a href="http://edocket.access.gpo.gov/cfr_2003/aprqtr/pdf/22cfr122.5.pdf">http://edocket.access.gpo.gov/cfr_2003/aprqtr/pdf/22cfr122.5.pdf</a>
International Traffic in Arms Regulations § 123.26 Recordkeeping requirement for exemptions.	<a href="http://edocket.access.gpo.gov/cfr_2008/aprqtr/pdf/22cfr123.27.pdf">http://edocket.access.gpo.gov/cfr_2008/aprqtr/pdf/22cfr123.27.pdf</a>
International Visit Coordinator (IVC)	<a href="http://www6.jsc.nasa.gov/exportcontrol/export/FNBadding.htm">http://www6.jsc.nasa.gov/exportcontrol/export/FNBadding.htm</a>
Network Access Control Board (NACB)	<a href="http://ird.jsc.nasa.gov/it_mgmt/nacb/index.html">http://ird.jsc.nasa.gov/it_mgmt/nacb/index.html</a>
NASA Export Control Program	<a href="http://www.hq.nasa.gov/office/0er/nasaecp/Welcome.html">http://www.hq.nasa.gov/office/0er/nasaecp/Welcome.html</a>
Office of Defense Trade Controls (ODTC)	<a href="http://www.pmddtc.state.gov/">http://www.pmddtc.state.gov/</a>
Organizational Computer Security Official (OCSO)	<a href="http://ird.jsc.nasa.gov/ITSecurity/Lists/OCSO/ocsolist.aspx">http://ird.jsc.nasa.gov/ITSecurity/Lists/OCSO/ocsolist.aspx</a>
Public Affairs Office (PAO)	n/a
Red Flags	<a href="http://www6.jsc.nasa.gov/exportcontrol/export/RedFlags.htm">http://www6.jsc.nasa.gov/exportcontrol/export/RedFlags.htm</a>
Schedule B Numbers	<a href="http://www.census.gov/foreign-trade/schedules/b/">http://www.census.gov/foreign-trade/schedules/b/</a>

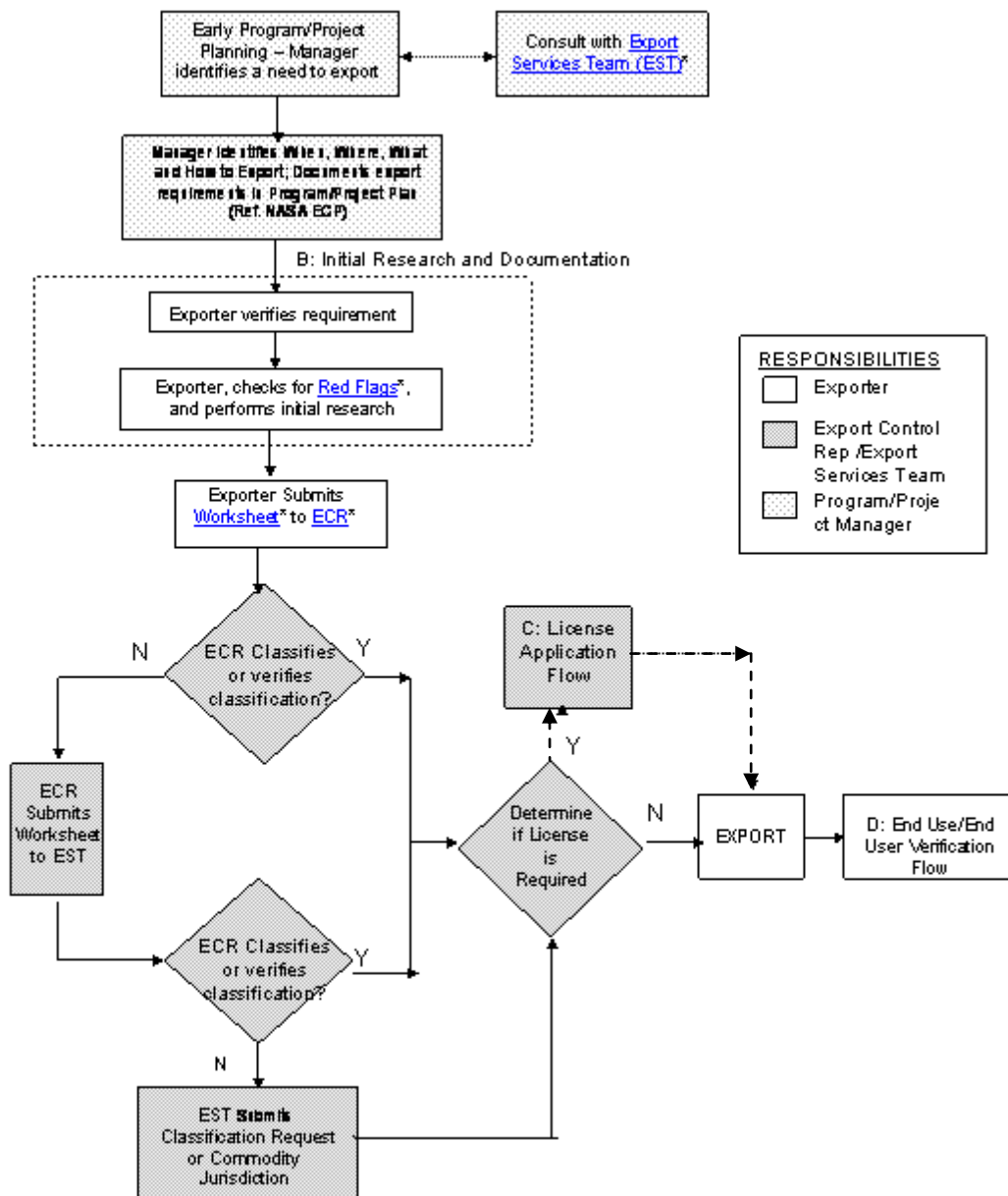
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Service Request (SR)	<a href="http://esr.jsc.nasa.gov/cgi-bin/esr3/esr3_display_main_menu">http://esr.jsc.nasa.gov/cgi-bin/esr3/esr3_display_main_menu</a>
Society for International Affairs (SIA)	<a href="http://siaed.org">http://siaed.org</a>
Transporting/Shipping/Packing Home Page	<a href="http://www6.jsc.nasa.gov/ja/jb/jb7.cfm">http://www6.jsc.nasa.gov/ja/jb/jb7.cfm</a>
United States Munitions List (USML)	<a href="http://www.pmddtc.state.gov/">http://www.pmddtc.state.gov/</a>
Wassenaar List	<a href="http://www.bis.doc.gov/wassenaar/default.htm">http://www.bis.doc.gov/wassenaar/default.htm</a>

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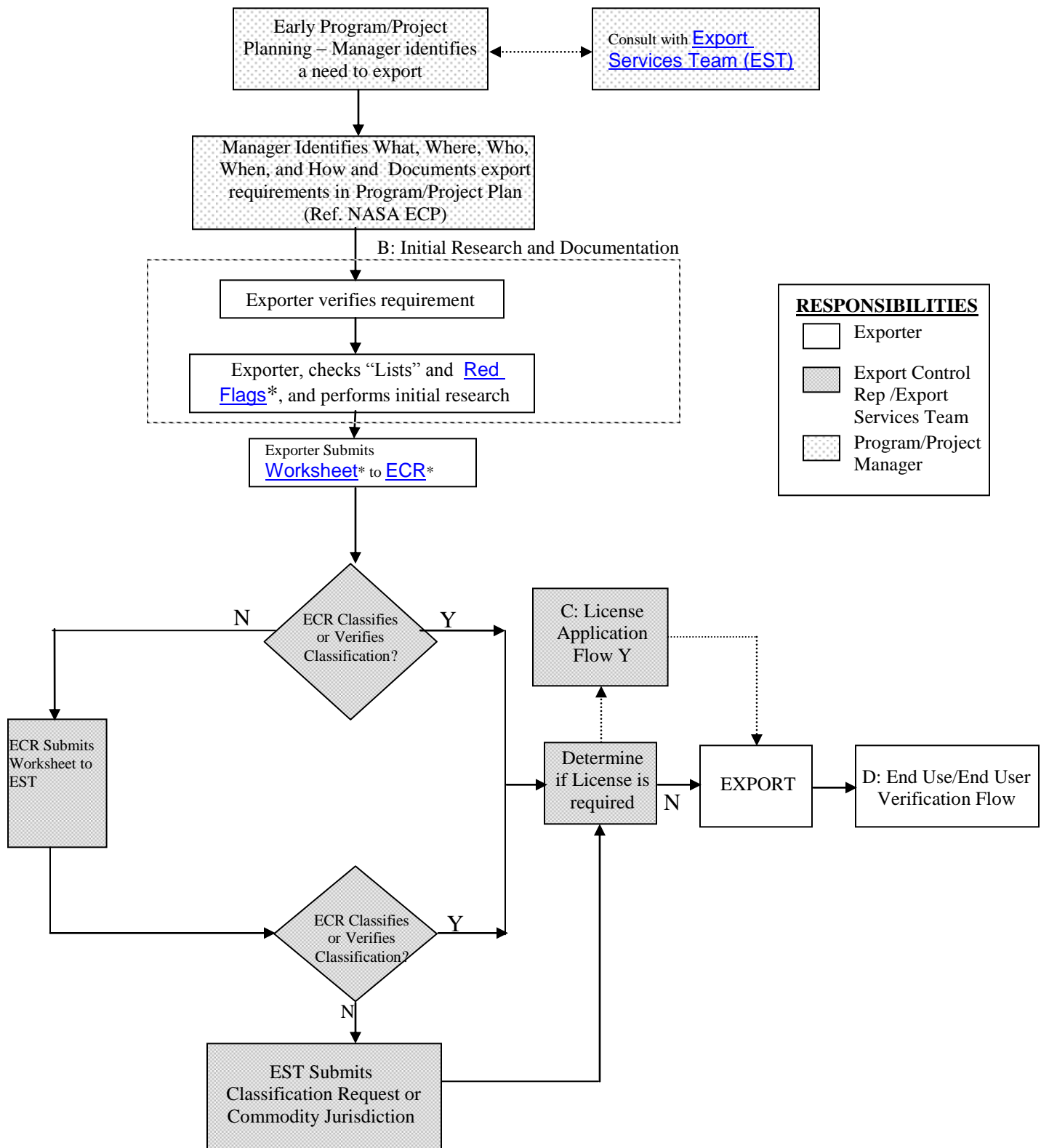
## APPENDIX F GENERAL EXPORT FLOW - FIGURES

Figure A: General Export Flow



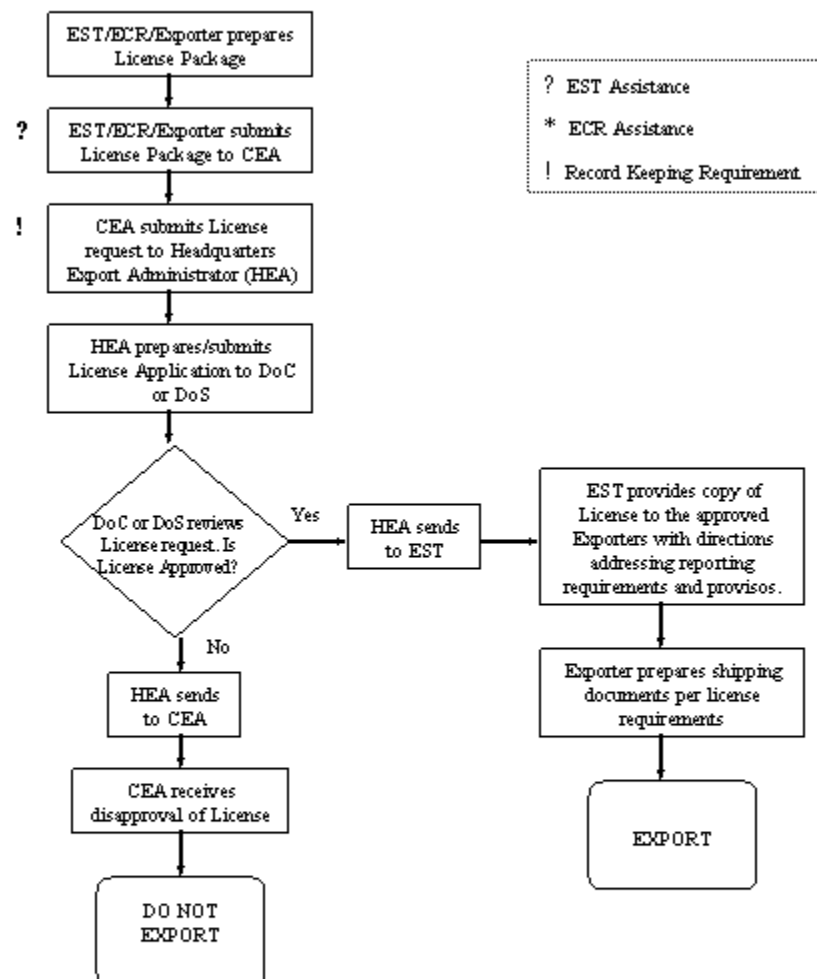
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Figure B: Initial Research and Documentation



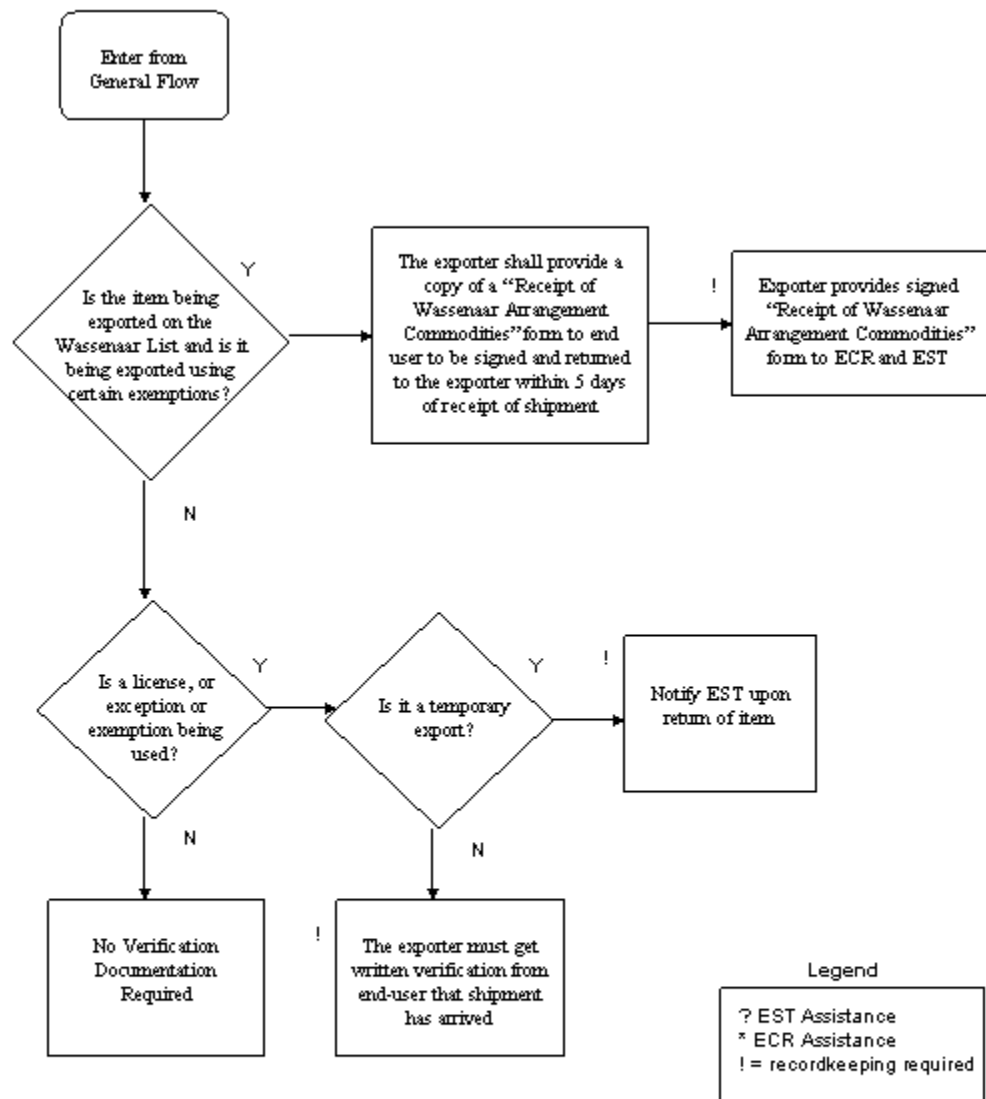
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Figure C: License Application Flow Diagram



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Figure D: End User/End Use Verification Flow Diagram





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Figure E: Conducting Meetings and Conferences

